

**MINUTES OF THE LAFAYETTE COMMON COUNCIL
AUGUST 3, 1998
REGULAR SESSION**

The Common Council of the City of Lafayette, Indiana met in Regular Session on Monday, August 3, 1998, at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Alting called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present:	Boehning, Meyer, Probasco, Campbell, Downie, Rhoda, Fisher, Smith, Alting
Absent:	None

President Alting stated that Mr. Joseph Bumbleburg requested that Ordinance 98-35 (An Ordinance to Vacate a Portion of the Public Way in the City of Lafayette - St. James Lutheran Church Petitioner) be continued until the September 14, 1998 Regular Session. Councilman Campbell moved to continue the Public Hearing on Ordinance 98-35 until September 14, 1998, Councilman Meyer seconded. The motion to continue the Public Hearing passed by unanimous voice vote.

Councilman Boehning moved to approve the July 6, 1998 Minutes, Councilman Probasco seconded. The Minutes were accepted by unanimous voice vote. Councilman Fisher moved to approve the Minutes of the July 29, 1998 Special Session, Councilman Downie seconded. The motion passed by unanimous voice vote.

The Clerk stated that there were no Presentations or Disposal of Claims or Presentations of Petitions or Communications.

The Clerk stated that the following reports are available in the Clerk's Office:

Clerk's Office Monthly Reports– June 1998
Controllers Monthly – June 1998
Motor Vehicle Report – June 1998
Miscellaneous Monthly Department Reports

The Clerk read Ordinance 98-35 (An Ordinance to Vacate a Portion of the Public Way in the City of Lafayette - St. James Lutheran Church Petitioner) by title only for second and final reading. Mr. Bumbleburg requested that the ordinance be continued for one month. Councilman Boehning moved to table Ordinance 98-35 until the September 14, 1998 Regular Meeting, Councilman Campbell seconded. The motion to table Ordinance 98-35 until September 14, 1998 passed by unanimous voice vote.

The Clerk read Ordinance 98-40 (An Ordinance Fixing the Salaries of the Elected Officials of the City of Lafayette, Indiana for the Years 1999 and 2000) by title only for first reading. Councilman Campbell moved for passage, Councilman Smith seconded. Ordinance 98-40 passed 8-0 on a roll

call vote. Councilman Probasco moved to set a public hearing on Ordinance 98-40 for September 14, 1998 at 7:01 p.m., Councilman Meyer seconded. The motion passed by unanimous voice vote.

The Clerk read Ordinance 98-41 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana, to Rezone Certain Real Estate from R-1 to I-3 - Daugherty Farms, Inc. Petitioner) by title only for first and final reading. Councilman Probasco moved for passage, Councilman Rhoda seconded. Mr. Joseph Bumbleburg, representing the petitioner, explained the proposal. Councilman Campbell inquired about current problems with Elliot Ditch and the impact that this project may have on the problems. Mr. Bumbleburg stated that the project will need to be approved by the Engineer's Office and he does not anticipate further problems. Councilman Probasco stated that this is in his district and he supports the proposal. Ordinance 98-41 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-42 (An Ordinance to Transfer Monies Within the Motor Vehicle Department) by title only for first reading. Councilman Fisher moved for passage, Councilman Downie seconded. Councilman Probasco stated that there is a scrivener's error in the account numbers and the scrivener's error was accepted by unanimous voice vote. Butch Worthington, Street Superintendent, explained that this money would be used to replace a paving machine. Councilman Campbell stated that he was in favor of suspending the rules to hear the ordinance on second reading after passage in order to continue the paving program. Ordinance 98-42 passed 8-0 on a roll call vote. Councilman Campbell moved to suspend the rules to hear Ordinance 98-42 on second and final reading, Councilman Probasco seconded. The motion to suspend the rules passed 8-0 on a roll call vote. Councilman Rhoda moved to hear Ordinance 98-42 on second and final reading, Councilman Smith seconded. Councilman Meyer stated that he felt it is appropriate to suspend the rules in this situation in order to move ahead with replacement of the equipment. Ordinance 98-42 passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 98-43 (An Ordinance Approving Lease Amendments Between the Lafayette Redevelopment Authority and the Lafayette Redevelopment Commission) by title only for first reading. Councilman Downie moved for passage, Councilman Rhoda seconded. Sherry McLauchlan, Community Development Director, explained the proposal to approve the use of remaining bond proceeds to repay approximately \$2.5 million to Tippecanoe County for the construction of the segment of Creasy Lane between SR 38 and McCarty Lane. Ordinance 98-43 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-44 (An Ordinance Vacating both the Public Alley Between 26th Street and 27th Street in the block North of South Street and the Unimproved Public Alley between Ferry Street and the other Public Alley within the City of Lafayette, Indiana - Lafayette Home Hospital Petitioner) by title only for first reading. Councilman Fisher moved for passage, Councilman Downie seconded. Marianne Owen, representing the petitioner, explained the proposal to construct a parking lot along South Street to cut down on parking intrusion into the surrounding neighborhoods. Councilman Fisher stated that he feels that this is a good project. Councilman Fisher expressed his hope that this will help with parking problems at Columbian Park and also relieve parking on Park Avenue by Home Hospital employees. Councilman Downie expressed her support for the project. Ordinance 98-44 passed 8-0 on a roll call vote. Councilman Boehning

moved to set a public hearing on Ordinance 98-44 for 7:02 p.m. on September 14, 1998, Councilman Probasco seconded. The motion passed by unanimous voice vote.

The Clerk read Resolution 98-16 (A Resolution Concerning Hate Motivated Harassment) by title only for first and final reading. Councilman Smith moved for passage, Councilman Rhoda seconded. Councilman Smith moved to amend the resolution to add “*and intimidation*” after each place where harassment is addressed, Councilman Meyer seconded. The amendment was accepted by unanimous voice vote. Councilman Downie spoke in support of the resolution. Councilman Campbell stated that this is an important resolution however he feels that each of us believes and defends the constitution with the final paragraph of this resolution the most important. Councilman Smith stated that each paragraph of the resolution is important. Councilman Meyer stated that this sends an important message to the public and encouraged unanimous support. Councilman Campbell stated that he hopes that the public already understands that council members do not support this type of behavior. Gayle Koning, 2308 Sioux Place, stated that there will be a rally at the John T. Myers bridge on August 30, 1998 from 5:00 – 5:30 to express opposition to harassment and support of diversity. Mary Finnegan, 442 South Third Street, representing Citizens for Civil Rights, commended Council for moving quickly to attempt to combat this behavior. Councilman Smith encouraged participation in the August 30, 1998 rally. Resolution 98-16 passed 9-0 on a roll call vote with President Altig voting in favor of Resolution 98-16.

President Altig stated that tabling Ordinance 98-37 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana to Rezone Certain Real Estate from PDRS to PDRS, Jerry Downham, Centennial Neighborhood Planned Development, Phase 2, Petitioner) until October 5, 1998 exceeds the 90 day requirement to act on the ordinance, therefore, the recommendation by the Area Plan Commission would stand. In order to act in a timely manner, Councilman Rhoda moved reset Ordinance 98-37 to be heard on September 14, 1998, Councilman Downie seconded. The motion passed by unanimous voice vote. President Altig requested that all concerned parties be notified of the rescheduling of the ordinance. Councilman Probasco stated that the problem would still exist since the planning process would not be complete. Sherry McLauchlan stated that there would be some preliminary information to present by September 14, 1998. Councilman Downie asked if it could be tabled again on September 14, 1998, President Altig stated that it would divert to the APC recommendation to deny the request if it were tabled.

Reports of Standing Committees: There were no reports.

Reports of Special Committees: There were no reports.

Reports by Mayor: The Mayor was not present. Councilman Campbell inquired about the situation that occurred at the Tippecanoe County Court House. Gene Reed, Police Chief, gave a brief statement that all possible law enforcement agencies are working hand-in-hand to solve the case. Councilman Campbell commended the Lafayette Police Department and Lafayette Fire Department for all their hard work. Councilman Meyer also commended the cooperation of the law enforcement agencies and stated that a toll free telephone number has been established to report information about the crime. President Altig stated that after living in New Orleans he realized that hate has no boundaries and it is unfortunate.

Miscellaneous and New Business: Councilman Campbell nominated Garry Smith to serve on the wage determination board, Councilman Probasco seconded. The motion passed by unanimous voice vote.

Reports of Councilman: There were no reports.

Public Comment: Kathrine J. Willis, 3304 Peppermill Drive, West Lafayette, explained a disagreement that recently occurred in City Hall regarding Park Department records. Police Chief Gene Reed reported that a citizens police academy would be held beginning August 26, 1998 and encouraged council participation. Councilman Smith stated that he has participated and would like to go through the sessions once again.

There being no further business to come before the Council, Councilman Campbell moved to adjourn, Councilman Meyer seconded. The Motion passed by unanimous Voice Vote. Time being 7:41 p.m.

Minutes prepared by Lisa Decker, City Clerk.

A tape recording of this council meeting is maintained in the City Clerk's Office.